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Despite this extraordinary record of heroism, Legion personnel have repeatedly treated Liberty veterans, their families, and their friends with arrogance, disrespect even disdain that many feel demeans these American servicemen, their ship, their service to their country, and the memory of their 34 fellow crewmembers who never returned.

These actions have largely taken place behind closed doors, since there is considerable evidence that Legion members in general are supportive of Liberty survivors and their families.



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*To take action go to **HonorLibertyVets.org***

AID AND COMFORT TO THE ENEMY: AMERICAN LEGION HONCHOS BETRAY LIBERTY VETERANS



Alison Weir
May 16, 2014

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The American Legion, founded in 1919, is the nation's largest wartime veterans' assistance organization. According to its mission statement, the Legion is committed to "devotion to our fellow servicemembers and veterans."

Yet, Legion honchos are actively hostile to veterans of the USS Liberty – the most decorated ship since World War II. In fact Liberty is among the most decorated ships for a single engagement in the entire history of the U.S. Navy.

Despite the Liberty crew's extraordinary record of heroism, Legion personnel have repeatedly treated Liberty veterans, their families, and their friends with arrogance, disrespect, and even disdain that many feel demeans these American servicemen, their ship, their service to their country, and the memory of their 34 fellow crewmembers who never returned.

Legion bigwigs have torpedoed American Legion members' resolutions supporting the Liberty; prevented dissemination of information about the attack; refused to allow a booth by the Liberty Veterans

Association at its 2013 national convention; and privately attempted to convince the Veterans of Foreign Wars to similarly prohibit a Liberty booth at its national convention. (The VFW rejected Legion advice and has again invited the Liberty crew to have a booth at the upcoming national convention in St. Louis.)

These actions have largely taken place behind closed doors, since there is considerable evidence that Legion members in general are supportive of Liberty survivors and their families – when they learn about them.

The animosity by Legion honchos toward Liberty veterans most likely has very little to do with the men who served on the USS Liberty, a typically diverse assortment of Americans from all over the United States.

The problem is that the foreign country that attacked them, killing 34 of their shipmates and injuring 174, was Israel. And while many people believe that the U.S. is the most powerful nation in the world today, this perception is not entirely accurate. Israel, through its pervasively embedded and extremely well financed lobby, is sometimes more powerful.

The Attack on the USS Liberty

Let's look at what happened to the USS Liberty.[1]

In 1967 the Liberty, an electronics surveillance craft whose total armaments consisted of two pairs of 50 caliber machine guns for use in repelling boarders, was cruising in international waters in the eastern Mediterranean. On June 8th, after earlier aerial surveillance, Israeli air and sea forces suddenly attacked it.

Sortie after sortie of Israeli fighters and, eventually, torpedo boats pounded the largely defenseless ship with shells, rockets, napalm, and torpedoes.

ters-u-s-naval-institute-board-of-directors

[89] <http://www.ca-llp.com/our-business/geographic-breadth/israel>

[90] <http://www.forbes.com/profile/stephen-waters/> see also <http://www.alumni.hbs.edu/bulletin/1999/october/banking/waters.html>

[91] http://ricks.foreignpolicy.com/posts/2011/03/01/the_crazy_plan_to_change_the_longtime_mission_of_the_us_naval_institute

[92] <http://cdrsalamander.blogspot.com/2011/02/opposition-to-usni-ballot.html> and <http://blog.usni.org/2011/04/18/a-statement-from-john-f-lehman-honorary-chairman-of-the-u-s-naval-institute-board-of-directors> and http://www.bluetoad.com/print.php?pages=10&issue_id=69372&ref=1

[93] <http://blog.usni.org/2011/03/07/a-statement-from-the-u-s-editorial-board>

[94] <http://www.marinecorpstimes.com/article/20110323/NEWS/103230323/Naval-Institute-board-nixes-change-charter>

[95] <http://www.navyhistory.org/vice-admiral-robert-francis-dunn-united-states-navy-retired/>

[96] http://www.informationdissemination.net/2011/02/unit-ed-states-naval-institute-open_28.html

[97] <http://alt.revisionism.narkive.com/tAkhvBVK/uss-liberty-another-investigation.3> and <http://webcache.googleusercontent.com/search?q=cache:dZB-sik6uif0J:www.zoominfo.com/p/Patrick-Russell/33565174+&cd=8&hl=en&ct=clnk&gl=us&client=firefox-a> and <http://connection.ebscohost.com/c/articles/16997025/liberty-victims-did-not-die-vain>

[98] http://www.ted.com/speakers/james_stavridis.html

[99] Its website is <http://www.jinsa.org/>. One of JINSA's activities has been to take hundreds of top ranking military officers on trips to Israel, where they are "well briefed on the security concerns of Israel, as well as the key role Israel plays as a friend and ally of the U.S." <http://www.jinsa.org/programs/about-jinsas-generals-and-admirals-trip-israel#.UiKG9LyhWBU>

[100] "JINSA Presents Henry M. Jackson Distinguished Service Award to Admiral James G. Stavridis, Nov. 16, 2011 – <http://www.jinsa.org/events/annual-awards-dinners/henry-m-scoop-jackson-distinguished-service-award-dinners/jinsa-present#.UgxeYlOhWfU> and <http://www.jinsa.org/events-programs/jackson-award-dinners/-speech-admiral-james-stavridis-commander-us-european-command-u#.Ug1pzVOhXUo>

[80] <http://www.thelibertyincident.com/book.html> and The Liberty Incident: The 1967 “Israeli Attack on the U.S. Spy Ship” United States Naval Institute. Proceedings Annapolis, Author: Tobin, Paul, Aug 2002, p. 88

Cristol also states that Vice Admiral Donald D. Engen praised his work. But the allegedly direct quote he cites from Engen’s book, “Wings and Warriors: My Life as a Naval Aviator,” is actually a modification of what Engen had written. In the book Engen actually calls Cristol “Rear Admiral [sic] Jay Crystol [sic],” bringing into question how carefully, or even whether, Engen read Cristol’s work. This is possibly why Cristol quotes him inaccurately.

[81] <http://www.fas.org/sgp/eprint/bamford.html>

[82] <http://www.fas.org/sgp/eprint/bamford.html>

[83] See note #48 for the discussion of this by Robert J. Allen, J.D.

[84] <http://www.usni.org/pdf/bylaws.pdf>

[85] <http://www.informationdissemination.net/2011/04/us-naval-institute-someone-lied-for-1.html> - On the official Naval Institute blog a regular contributor wrote: “I honestly believe Steve Waters, John Morgan, Nancy Brown, and the other Board of Director members are dishonest and potentially deceitful, and I have been provided enough evidence to convince myself that legal counsel flat out lied to the membership today and to the face during a direct question from one of the very few Naval Officers in attendance at the annual meeting. Until those people are no longer running the organization as members of the Board of Directors, I see no reason to volunteer my time supporting that organization, because USNI isn’t going anywhere anyway.”

[86] Posts from the Naval Institute website and its related blog, “Information Dissemination”: <http://blog.usni.org/2011/03/14/a-letter-from-stephen-m-waters-u-s-naval-institute-board-of-directors> and <http://www.informationdissemination.net/2011/04/united-states-naval-institute-open.html> and <http://www.informationdissemination.net/2011/04/us-naval-institute-someone-lied-for-1.html> and <http://blog.usni.org/?s=%22steve+waters%22&x=0&y=0> April 2011. <http://www.informationdissemination.net/2011/04/unit-ed-states-naval-institute-letter-to.html> and <http://www.informationdissemination.net/2011/02/us-naval-institute-mails-bad-ballots-to.html> and <http://www.informationdissemination.net/2011/03/united-states-naval-institute-new.html> and <http://www.usni.org/us-naval-institute-2011-member-ballot>

[87] Sam Fellman, Staff writer Naval Institute, “board nixes change to charter,” Marine Corp Times, March 23, 2011

<http://www.marinecorpstimes.com/article/20110323/NEWS/103230323/Naval-Institute-board-nixes-change-charter>

[88] <http://blog.usni.org/2011/03/14/a-letter-from-stephen-m-wa>

Israeli forces machine-gunned stretcher-bearers, shot up life rafts, and killed seamen like one 20-year-old from Missouri who had played American Legion baseball.[2] Survivors describe the decks covered with body parts and running with blood.[i] The Israeli onslaught lasted longer than the Japanese attack on Pearl Harbor.

During the attack, U.S. aircraft carriers launched rescue flights that were then recalled. The Sixth Fleet carrier division commander, Rear Admiral Lawrence Geis, later revealed that President Lyndon Johnson had ordered him to recall the aircraft because Johnson didn’t want our ally to be “embarrassed,” and the crew remained undefended.[3]

Crewmembers miraculously kept the ship afloat and worked to save as many lives as possible.

The tales of terror, fear and heroism are gripping. A doctor operated on fallen sailors despite his own extensive wounds, including a gunshot wound, broken kneecap, and 11 pieces of shrapnel in his abdomen, which he held together with a life jacket. The ship’s captain stayed at his battle station, exposed to fire, and remained in command for 19 hours straight, despite great pain and weakness from loss of blood. A 22-year-old sailor from Indiana was cut down while he tried to save shipmates. He was one of at least five crewmembers who received medals posthumously. [4]

Liberty crewmembers have a superlative record of service to their country. Among the awards won by the officers and crew of the USS Liberty are the Medal of Honor, two Navy Crosses, 13 Silver Stars, 20 Bronze Stars, nine Navy Commendations, 208 Purple Hearts, 294 Combat Action Ribbons, and the Presidential Unit Citation.[5] Another crewman was also a candidate for the Medal of Honor, America’s highest award, but

there were too few witnesses left alive to provide the necessary substantiation.[6]

One would think that all Americans should know of the Liberty and its valiant crew. One would think that Hollywood cinematographers would have depicted The Liberty Story in wide screen and living color; that Liberty survivors' solemn annual day of remembrance for their fallen shipmates would be broadcast by Fox News; and that the American Legion would be steadfast in honoring Liberty's heroic crew.

None of this has taken place.

Israel claimed that the attack was a "mistake," and its partisans went to work immediately to cover it up. Within a day of the attack, Senator Jacob Javits and a few others claimed on the Senate floor that it had been accidental. Crewmembers were ordered not to speak about it to anyone, from the press to family members to one another.

The Navy was given one week to look into crew behavior, rather than the six-month investigation that would normally be accorded an investigation of an attack on a Navy ship not engaged in hostilities.

After its weeklong inquiry, the Navy produced a report that focused on crew response, yet inexplicably declared the attack a case of "mistaken identity" without citing any evidence to that effect. Much later, it came out that the White House had ordered the Navy to include that conclusion, even though it had not been tasked with investigating the reason for Israel's attack.

The press, with a few exceptions,[7] has largely ignored the attack on the Liberty, or portrayed it inaccurately.[8] Three major documentaries have been produced, but only one has been shown on national TV. [9] Hollywood has ignored the incident.

2003, pages 14-15.

[http://www.wrmea.org/wrmea-archives/256-washingt ;y\[\[yon-report-ar-chives-2000-2005/december-2003/4916-cris-tol-claim-of-13-investigations-intro-israels-attack-on-uss-liberty-a-travesty.htm](http://www.wrmea.org/wrmea-archives/256-washingt%20yon-report-archives-2000-2005/december-2003/4916-cristol-claim-of-13-investigations-intro-israels-attack-on-uss-liberty-a-travesty.html)
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[69] While anyone should be forgiven for typos, it is perhaps revealing that Cristol continually calls Merlin Staring "Merwin" Staring, and does this in both versions of his book. This suggests that the Naval Institute did not fact-check the book before publishing it.

[70] http://www.ifamericansknew.org/us_ints/ul-staring2.html

[71] Publishers Weekly, "Brassey's Inc. Acquired" Oct 04, 1999 – [http://www.-publishersweekly.com/pw/print/19991004/24043-brassey-s-inc-acquired.html](http://www.publishersweekly.com/pw/print/19991004/24043-brassey-s-inc-acquired.html)

[72] Cristol, The Liberty Incident, Brassey's, 2002, p. xviii [http://www.as.mi-ami.edu/judaic/pdf/Shaked-Bio.pdf](http://www.as.miami.edu/judaic/pdf/Shaked-Bio.pdf)

[73] http://www.miami.edu/index.php/miller_center/staff/dr_haim_shaked/

[74] <http://libertyincident.com/disclaimer.html> - accessed May 14, 2014.

[75] <http://www.usliberty.org/nip.htm>

[76] Book Review: The Liberty Incident: The 1967 Israeli Attack on the U.S. Spy Ship, United States Naval Institute. Proceedings Annapolis. Author: Tobin, Paul, Aug 2002, p. 88

[77] "Friendless Fire?" By David C. Walsh, Proceedings Magazine, June 2003, <http://www.usni.org/magazines/proceedings/2003-06/friendless-fire>

Also available (but without sidebar) on Military.com:

http://www.military.com/NewContent/0,13190,NI_Friendless_0603,00.html

In addition to Inman, the officials were Oliver Kirby, the "godfather" of the NSA's Auxiliary General Technical Research program; retired Air Force Major General John Morrison, the agency's then-second-in-command; and former NSA Director retired Army Lieutenant General William Odom.

[78] "Liberty Victims Did Not Die in Vain," by Anthony R. Wells, US Naval Institute Proceedings, March 2005, pp. 88-89.

http://www.ifamericansknew.org/us_ints/ul-wells.html

[79] <http://www.usliberty.org/lentini2.htm>

However, Cristol leaves out Clifford's statement in the same book demonstrating that Clifford did not believe in the "mistaken identity" version put forth by Cristol: "I do not know to this day at what level the attack on the Liberty was authorized and I think it is unlikely that the full truth will ever come out..." p. 447.

[67] On page 171 Cristol writes that the NSA "concluded in the report that the Liberty had been mistaken for an Egyptian ship as a result of miscalculations and egregious errors."

However, the NSA report actually states, "The fact that two separate torpedo boat commanders made the same false identification only raises the question of the veracity of both commanders. The El Kasir [the Egyptian ship] was approximately one-quarter of the Liberty tonnage, about one-half its length, and offered a radically different silhouette. To claim that the Liberty closely resembled the El Kasir was most illogical."

The report also specifically notes, "When NSA's deputy director read the decision of the Israeli Defense Forces Preliminary Inquiry, he summed up his personal feelings on the subject by calling it 'a nice whitewash.'"

(online at <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB24/nsa10.pdf>)

Finally, Cristol fails to inform readers that the lead author of the report, William D. Gerhard, wrote a synopsis of the attack, *Attack on the USS Liberty: An Edited Version of SRH-256*, available in a book by the Aegean Park Press, that thoroughly discredits Cristol's claim that the attack was unintentional.

This book reveals that Israel's official preliminary investigation into the attack, "The Yerushalmi report," was suppressed and reports that those who tried to obtain it were sometimes told that the release would "embarrass an ally."

Gerhard's book also includes a report by Carl F. Salans, a legal advisor to the U.S. Department of State, which examined the Israeli report that concluded that Israel's attack was "accidental." Salans' report found that virtually every major Israeli point was contradicted by U.S. information.

Finally, the book also includes "A Juridical Examination of the Israeli Attack on the USS Liberty" by Lieutenant Commander Walter L. Jacobsen, JAGC, USN, published by the Naval Law Review, Winter 1986. This states: "The Israeli attack on the Liberty was intentional and premeditated." It further says, "The decision to attack the Liberty was a conscious one, taken by Israeli leadership in the command center," and provides considerable information for this conclusion.

[68] "Cristol Claim of 13 Investigations Into Israel's Attack on USS Liberty a Travesty,"

By Terence O'Keefe, Washington Report on Middle East Affairs, December

American Legion Actions on the USS Liberty

The American Legion was the first organization to support Liberty survivors and call for an official investigation of the attack. However, as we will see, this quickly triggered anti-Liberty pressure that caused Legion management to back off, and today the American Legion does not have a single live resolution regarding the USS Liberty – this despite the fact that three resolutions on the Liberty have been passed by the general membership, and that many American Legion posts around the country have attempted to introduce others. In recent years, none of these has been allowed to make it to the convention floor.

The Legion's stance is in stark contrast to that of other veterans' organizations. The Veterans of Foreign Wars (VFW), Disabled American Vets, The Retired Officers Association, and other veterans' groups have placed wreaths on the Liberty graves at Arlington National Cemetery; the Legion has been conspicuously absent.[10] The VFW has at least seven resolutions on its books calling for an investigation of the attack, the most recent passed in July 2013.[11] The Legion has none.

In addition, a multitude of high U.S. military, diplomatic, and intelligence officials through the years have spoken in favor of the Liberty crew (see below).

Below is a chronology of the American Legion's action—and inaction—on the Liberty.

1967

Immediately following the attack, the American Legion membership passed a strong resolution on the incident. American Legion action was suggested by a New Hampshire resident, and the Legion National Commander Edward Davis, from North Dakota, encouraged him to write a resolution. [12]

This 1967 resolution condemned Israeli actions, which it called an “apparently deliberate attack.”[13] The resolution called on the U.S. government to “conduct a complete and thorough investigation of this incident” and to demand full payment from the Israeli government for compensation to the families, crew, and to the United States for the damage to the ship.[14]

After the resolution was passed, there were complaints from the Jewish War Veterans of America and some Jewish members of the American Legion, and the resolution was allowed to die without action.[15] The American Legion member who proposed the resolution stated later that the lack of follow through was due to pressure by pro-Israel organizations.[16]

For many years, Israel refused to compensate the United States for the ship it had destroyed, and the U.S. government failed to push the issue. Finally, twelve years later, a Senator announced that he intended to hold hearings on the matter. Israel quickly negotiated a settlement: Israel would pay \$6 million for the ship; in exchange the U.S. dropped claims to \$10 million worth of interest.[17] The ship was valued at \$40 million.

1984

In 1984 the American Legion Magazine commissioned an article on the Liberty, but then killed the article.

The article was by James Ennes, a Naval officer seriously wounded on the Liberty who had in 1979 written the first book to give details of the attack. The book, *Assault on the Liberty*, was widely praised. The Naval Institute named it among its Notable Naval Books, and a Washington Post reviewer said it “should be required reading for all government employees.”

When Ennes submitted his article to the Legion magazine,

<http://www.wrmea.org/wrmea-archives/252-washington-report-archives-2000-2005/july-august-2003/4676-navy-captain-other-officials-call-for-investigation-of-israels-attack-on-uss-liberty.html>

“Israel Attack On USS Liberty 'No Accident' Says Helms,” By Bryant Jordan, Staff Writer, Marine Corps Times, Navy Times, 7-7-2

[59] p. 149.

[60] “Why You Shouldn't Pay Attention to the Claims that Israel Attacked the USS Liberty,” A Jay Cristol, History News Network.

<http://hnn.us/article/39936>

[61] Instead, he mentions only one small part of what Boston said, and then goes on to describe a strategy that lawyers use to discredit statements that hurt their case.

[62] Declaration of Ward Boston, Jr., Captain, JAGC, USN (Ret.)

<http://www.ifamericansknew.org/download/BostonDeclaration.pdf>

[63] “Navy Captain, Other Officials Call for Investigation of Israel's Attack on USS Liberty,” By Delinda C. Hanley, Washington Report on Middle East Affairs, July/August 2003, pages 42, 53

<http://www.wrmea.org/wrmea-archives/252-washington-report-archives-2000-2005/july-august-2003/4676-navy-captain-other-officials-call-for-investigation-of-israels-attack-on-uss-liberty.html>

[64] <http://gtr5.com/faq-1.htm>

[65] March, 16, 2005 response to Congressman Rob Simmons on official Department of the Navy letterhead by Jane G. Dalton, Captain, JAGC, U.S. Navy. Dalton was the Navy's Assistant Judge Advocate General for Civil Law and managed a 75-person legal team that advised the Secretary of the Navy and the Chief of Naval Operations. <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=0CDkQFjAD&url=http%3A%2F%2Fwww.cap-press.com%2Fpdf%2F1550.pdf&ei=Go-FU5CoLOHWiwLm-YCgBA&usq=AFQjCNExjq6R5mFPnsAJZBK YUAo4QxlLsw&bvm=bv.56643336,d.cGE&cad=rja>

[66] For example, one of the alleged ten investigations was a report by a single individual, Clark Clifford, done without any staff and without a firm conclusion as to the cause of the attack. Cristol claims that Clifford later told him that the attack was “a mistake,” and then includes a partial quote from Clifford's memoir that appears to substantiate this statement: “[T]here was no evidence that the highest levels of the Israeli government... were aware of Liberty's true identity...”

tice.com/news.court.florida.corruption.bankruptcy-060311.html) that accuse Cristol of “cronyism.”

[56] <http://archive.frontpagemag.com/readArticle.aspx?ARTID=17293> - Another Anti-Semitic Canard Dies, By: Nathan Guttman Ha'aretz | Thursday, July 10, 2003

<http://www.usni.org/store/books/cold-war/liberty-incident-revealed-0>

“Judge Cristol tells Post how he set record straight on USS Liberty”, Jerusalem Post Jul. 10, 2003 | JOEL LEYDEN

<http://www.mefacts.com/cache/html/israel-security/10058.htm>

[57] Washington Report on Middle East Affairs , June 1999, page 62, “The Liberty Incident,” By A. Jay Cristol, Univ. of Miami, 1997. Reviewed by John E. Borne.

<http://www.wrmea.org/wrmea-archives/177-washington-report-archives-1994-1999/june-1999/2270-the-liberty-incident.html>

An earlier article by Borne also discusses Cristol’s claims: A CLOSER LOOK AT A. JAY CRISTOL’S DISSERTATION. John E. Borne

<http://www.uss-liberty.com/2010/01/25/a-closer-look-at-a-jay-cristols-dissertation-by-john-e-borne/>

See also: Washington Report on Middle East Affairs, May-June 2007, pages 26-27, “Special Report: Four Decades of Twisting Facts About Israel’s Attack on the USS Liberty,” By James Ennes

<http://www.wrmea.org/wrmea-archives/310-washington-report-archives-2006-2010/may-june-2007/9193-four-decades-of-twisting-facts-about-israels-attack-on-the-uss-liberty.html>

Cristol refuses to debate – see <http://www.ussliberty.org/gotcher2cristol.htm>

[58] Declaration of Ward Boston, Jr., Captain, JAGC, USN (Ret.) Counsel to the U.S. Navy Court of Inquiry’s investigation into the Israeli attack on the USS Liberty

http://www.ifamericansknew.org/us_ints/ul-boston.html

Washington Report on Middle East Affairs , July/August 2003, pages 42, 53, “Navy Captain, Other Officials Call for Investigation of Israel’s Attack on USS Liberty”

By Delinda C. Hanley

however, it was rejected. Ennes received a kill fee and an apologetic letter from the editors, who said the editorial board had decided that his article was “too controversial.”[18]

When Ennes wrote again to the magazine, he was told that the Legion “no longer had a position on the subject.” [19]

(Another magazine, Retired Officer, with a circulation of 350,000 retired military officers, published Ennes’s article to wide acclaim.RO editors told Ennes that for months after they were “overwhelmed with mail” that supported the article and the Liberty crew. [20])

Also in 1984, the American Legion’s National Executive Committee passed a resolution that rescinded “all Foreign Relations Policy resolutions adopted by the Annual National Convention or the NEC, 1919-1976.”[21]

This resolution, entitled “Rescinding Obsolete Policy Resolutions dealing with Foreign Relations,” was passed at the Committee’s spring meeting. The general membership does not seem to have been consulted on this decision. Most American Legion members who voted in favor of a resolution on the USS Liberty probably have no idea this occurred.

1986

In 1986, Liberty survivors pushed for resolutions calling for an investigation into the attack, which were passed at three local American Legion posts. Legion officials at the state level, however, rejected them, saying that “the national leadership of the Legion was opposed to resolutions on the subject.”

The survivors managed to bypass the state leaderships and took a resolution to the national convention in Cincinnati. Once there,

however, Legion management used what the crew describe as “complicated maneuvers” to scuttle the resolutions. Some of this, according to crewmembers, involved changing the usual rules of the convention.[22]

Perhaps as a consolation prize, a resolution calling for a Liberty postage stamp was allowed to be passed by the membership and was sent to Washington. [23] This was the second attempt at such a stamp. In 1973 Louisiana Congressman John Rarick, a military veteran who had escaped from a German prison camp in World War II, had introduced legislation to issue a postage stamp “in honor of the brave men who served on the U.S.S. Liberty and U.S.S. Pueblo.”[24]

In both cases the efforts went nowhere. There is no indication that Legion management ever followed through on the attempt to have Congress issue a postage stamp honoring the crew. It died two years later.

1994

In 1994 American Legion members managed to get a resolution on the Liberty passed, perhaps, again, because this time the resolution left out all calls for an investigation. The resolution “urge[d] the United States to formally and publicly recognize by time-honored tradition with customary style, honor, ceremony and publicity, the heroic actions of the officers and crew of the U.S.S. Liberty, her 34 killed in action, her 171 wounded and her decorated, including her Medal of Honor recipient, Captain William L. McGonagle.”[25]

The American Legion leadership decided to categorize this resolution as “legislative”, which meant that it would apply only to the two year Congress then in session. According to the Legion’s “Resolutions and Reports” handbook, resolutions with “legislative intent” must be re-submitted every two years. [26]

ing crimes, obtaining search warrants, bringing about indictments in federal court, etc. (pp 110, 455-456) While Allen’s book is unfortunately marred by lack of editing and typos, it contains a useful forensic investigation of the attack, provides significant information on NSA actions, and demonstrates places where Cristol’s book at times inadvertently provides evidence counter to his claims.

[52] <http://www.legion.org/constitutional>

[53] <http://www.councilforthenationalinterest.org/about-us>

[54] Some articles have also taken an anti-Liberty stand, including pieces by Steven Aftergood in *Secrecy News* and by Israeli Ambassador (and former Israeli military officer) Michael Oren in the *New Republic*. For a detailed rebuttal of the claims in these articles, some of which were taken up by Cristol, see

<https://www.fas.org/sgp/eprint/bamford.html>

[55] It is difficult to learn much about Cristol’s personal background despite his prominent position as an author and governmental official, whether he received outside funding for his project, and the names of those who assisted him in writing his book. He refuses to divulge what the “A” in his name stands for (it appears to be Ahron) and has not responded to requests for an interview. It appears from census records that his great grandfather was among the first wave of Jewish colonists who had gone to Palestine in the late 1800s to create a Jewish state on land that at that time was approximately 80 percent Muslim, 15 percent Christian, and 5 percent Jewish.

There have at times been criticisms of Cristol’s judicial actions in Miami. In his role as a bankruptcy judge in Miami, Cristol sometimes adjudicates cases involving extremely large sums of money. According to mainstream news reports, a Miami lawyer-accountant that Cristol sometimes assigned as a bankruptcy trustee was found to have been involved in a decade-long shell game. The IRS also said that the man, Lewis Freeman, owed millions of dollars for his public promotion of what they termed a tax dodge. Cristol’s connection to Freeman was mentioned in several articles about the scandal. The articles reported that Cristol called Freeman “an expert in his field” and said that his criminality came as “a total shock” to Cristol. Cristol called his fall from grace “an unimaginable, terrible tragedy.” An article pointed out, however, that Freeman’s work had been called into question years earlier and that some people had tried to remove him from a case at the time. See for example:

· Siobhan Morrissey, “Fall From Grace,” *ABA Journal*, June 10, 2010.

· John Pacenti and Jose Pagliery, “Prominent Miami Receiver Charged in Multimillion-Dollar Fraud,” *Daily Business Review*, Feb. 4, 2010

There are also some anonymous Internet articles (e.g. <http://barejus>

new.org/us_ints/ul-staring.html

[44] http://ifamericansknew.org/us_ints/ul-boston.html

Boston's declaration can also be accessed at the link below, as well as declarations by other personnel testifying about the cover-up: <http://www.usslibertyinquiry.com/evidence/witness/witness.html>

[45] <http://www.ussliberty.org/supporters.htm>

[46] King was a Captain and McDonald's assistant in 1967. He said that no one at the time believed Israeli forces had confused the Liberty for a 37-year-old Egyptian horse transport half its length. King said, "It certainly was not mistaken identity. I don't buy it. I never did. Nobody that I knew ever did either." – James Scott, *Attack on the Liberty*, p. 233. Scott's excellent book, published in 2009 by Simon and Schuster, contains significant information not available when Ennes and Borne wrote their books.

[47] http://ifamericansknew.org/us_ints/ul-commfindings.html Findings of the Independent Commission of Inquiry into the Israeli Attack on the USS Liberty, the Recall of Military Rescue Support Aircraft while the Ship was Under Attack, and the Subsequent Cover-up by the United States Government, CAPITOL HILL, WASHINGTON, D.C. OCTOBER 22, 2003 - <http://thomas.loc.gov/cgi-bin/quiry/Z?r108:E11OC4-0056>:

[48] <http://www.guidestar.org/organizations/53-0217164/american-israel-public-affairs-committee.aspxv>

[49] "Remember the Liberty," by John Borne, *The Link*, July-August 1997

<http://www.ameu.org/getattachment/2ebbd272-a090-469f-9e44-acc5acf3ab/Remember-the-USS-Liberty.aspx>

[50] See a partial list of the Israel lobby (with a combined annual budget somewhere in the range of a billion dollars) at <http://www.councilforthenationalinterest.org/israellobby/israellobby>

An example of a person who supports the crew: <http://hnn.us/article/194>

[51] *Beyond Treason: Reflections on the Cover-up of the June 1967 Israeli attack on the USS Liberty an American Spy Ship*, by Robert J. Allen, J.D. particularly analyzes Cristol's legalistic approach.

Allen, who is a retired police investigative captain, deconstructs some of Cristol's strategies. For example, Allen writes that while "Judge Cristol in his book cites the Hearsay Rule to denigrate and impeach the witness contentions of the Liberty crew," the reality is that such information is often "given a presumptive credence and probative value" and is regularly used in investigat-

1998

In 1998 five states (it appears that these were Arkansas, Kentucky, Montana, Texas, and, possibly, Alaska) introduced resolutions at the national convention calling for an investigation into the attack on the Liberty. The Legion's Committee on International Relations killed them.

The chairman of the committee was John Brieden. Brieden's college roommate was future Texas Governor Rick Perry, who in 2007 received Israel's "Friend of Zion" award[27] for his fidelity to that nation. Perry later appointed Brieden to various veterans' posts. Five years after blocking the Liberty resolutions, Brieden became American Legion National Commander.

2002

In 2002 the Washington DC Legion delegation introduced a resolution calling for an investigation of the attack to a foreign relations subcommittee at the national convention. This was the first step towards procuring an American Legion resolution.[28]

I was present at this convention and witnessed most of what subsequently transpired. I had begun to investigate Israel-Palestine in fall 2000, a topic I had never previously studied. I was astonished at much of what I discovered, including the Israeli attack on the Liberty, which I had never heard about despite growing up in a military family.

When I heard that a resolution was going to be introduced at the national convention, I went with the delegation to observe what happened.

When the DC group introduced the resolution to the subcommittee, every American Legion delegate who addressed it spoke in favor of it. Delegate after delegate from diverse parts of

America supported the resolution, and it was passed without objection.

The DC delegates were jubilant. When a resolution is passed at this level, they explained, it is virtually assured of adoption. Typically, the resolution is then rubber-stamped by the next committee, and passed along to the general membership, which then normally passes all such committee-recommended resolutions by one simple voice vote.

This resolution, however, was to be different.

The next day, American Legion staff told the Convention Committee on Foreign Relations that there was no need for such a resolution since the Legion already had passed resolutions on the Liberty. The staff and chair neglected to state that not a single resolution on the USS Liberty was live, and that therefore it was both necessary and appropriate to pass this one.

This communication succeeded in killing the resolution. The main staff member for this committee had served in Israel; it is possible he is an Israeli citizen. The Committee chairman was Thomas Bock, of Colorado.[29] Three years later Bock was American Legion National Commander.

That evening, back in D.C., Admiral Thomas Moorer (USN retired) heard about the scuttling of the resolution. Outraged, he wrote an open letter to the American Legion Commander requesting that the resolution be put before the general membership.

Admiral Moorer was chairman of an association of admirals and generals who want the US government to conduct a hearing on the USS Liberty. He was also the former Chairman of the Joint Chiefs of Staff -- the highest ranking military officer in the U.S. military -- and a retired 4-star admiral who was once in

[35] Bio included in <http://www.thefreelibrary.com/American+Legion+National+Commander+to+Tour+Indiana+American+Legion...-a081107300> .[35] There is an urban myth that American League commanders are uncompensated; in reality they appear to have an annual salary of about \$200,000.

[36] Open letter to Onderdonk from Arens, posted at <http://www.uslibertyveterans.org/files/ArensLtrtoALOnderdonk.pdf>

[37] Military.com associate editor Jordan Bryant describes a brief interview he conducted with Onderdonk in which he asked Onderdonk about his comment to Arens.

Jordan writes, "Onderdonk acknowledged he told Arens the ship should not have been there 'because it was too close to shore.' He said he knew it was too close to shore because he had seen photos taken from where the ship was and you could see land."

Bryant then pointed out two things to Onderdonk. "One was that Liberty's location in international waters has never been in dispute. The other is that what he saw in the photos proves nothing, that I could see Morocco from Gibraltar but that did not put me in Moroccan waters."

[38] US Naval Court of Inquiry report, p. 158.

<http://www.uslibertyinquiry.com/evidence/usreports/ncoi.pdf>

[39] Ernest "Ernie" Gallo was president of the Liberty Veterans Association and is the author of *Liberty Injustices: A Survivor's Account of American Bigotry*, ClearView Press, 2013.

[40] Statement by Glenn Oliphant. (The Legion refused to answer questions.) Additional information in *Liberty Injustices: A Survivor's Account of American Bigotry*, by Ernest A. Gallo, 110-112.

[41] http://www.legion.org/documents/legion/pdf/leadership_faqs.pdf

[42] March, 16, 2005 response to Congressman Rob Simmons on official Department of the Navy letterhead by Jane G. Dalton, Captain, JAGC, U.S. Navy. Dalton was the Navy's Assistant Judge Advocate General for Civil Law and managed a 75-person legal team that advised the Secretary of the Navy and the Chief of Naval Operations. <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=0CDkQFjAD&url=http%3A%2F%2Fwww.cap-press.com%2Fpdf%2F1550.pdf&ei=Go-FUsCoLOHWiwLm-YCgBA&usg=AFQjCNEExjq6R5mFPnsAJZBKUYAo4QxlLsw&bvm=bv.56643336,d.cGE&cad=rja>

[43] The attorney, Merlin Staring, eventually became a rear admiral in charge of the entire legal department of the U.S. Navy. His speech at the Navy Memorial June 8, 2007 can be viewed at <http://www.ifamericansk>

The Liberty Veterans Association deserves the encouragement of everyone who wants the facts of the Liberty incident revealed and proper homage paid to the men who lost their lives, to their families, and to the survivors. I have attended many of their reunions and am always impressed with the cohesion of the Liberty family. They arrive in town with their whole entourage - grandmas, grandpas, grandchildren. They promote the memory of the boys who were killed and I respect them for that. They are mostly from small country towns, probably a lot like Eufaula, Alabama, where I grew up, and they represent the basic core of America that has enabled us to be a superpower for so long. These are the kind of people who will make certain that our liberty and freedom survive if fighting is what it takes.

- The Link, Vol.30, Issue 3, July-August, 1997, published

By Americans for Middle East Understanding

<http://www.ameu.org/getattachment/2ebbd272-a090-469f-9e44-ac-cca5acf3ab/Remember-the-USS-Liberty.aspx>

[31] <http://projects.militarytimes.com/citations-medals-awards/recipient.php?recipientid=19498>

[32] Witnesses report that Lyndon Johnson personally ordered rescue flights be recalled, saying that he didn't want "our ally to be embarrassed." Johnson later ordered that the one quickie inquiry into the attack cover up the fact that all the evidence indicated that it had been intentional. An excellent article about Johnson during this time and his close relationships with pro-Israel advisors such as Walt Rostow and friends such as Mathilde Krim (a former member of a Zionist paramilitary group) is "How LBJ's Vietnam War Paralyzed His Mideast Policymakers," by Grace Halsell, Washington Report on Middle East Affairs, June 1993, 20.

<http://www.wrmea.org/wrmea-archives/148-washington-report-archives-1988-1993/june-1993/7210-how-lbjs-vietnam-war-paralyzed-his-mideast-policymakers.html> .

[33] Feeling that Legion members had the right to know of Admiral Moorer's letter, I assisted Josie in handing it out. The Legion's security official also tried, and failed, to have me arrested for an activity that was both highly legal and that was in accord with the Legion's official mandate of helping U.S. veterans. Legion members, with only one exception, took the letter without objection. Some thanked me for distributing it.

[34] "American Legion leader enjoys homecoming visit," By Beth Perdue, Standard-Times Correspondent, April 14, 2002.

<http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20020414/LIFE/304149944&template=printart>

charge of both the Pacific and Atlantic fleets. He was a Naval aviator and World War II hero; the Navy's Tomcat fighter jet was named after him.

Moorer had long been outraged at the cover-up on the Liberty attack. In a 1997 memo, he called it a "wanton, sneak attack," writing: "What is so chilling and cold-blooded, of course, is that they could kill as many Americans as they did in confidence that Washington would cooperate in quelling any public outcry." Many of the crewmembers, Moorer wrote, were from "small country towns, probably a lot like Eufaula, Alabama, where I grew up, and they represent the basic core of America...." [30]

A woman named Josie Toth Linen, whose brother was killed on the Liberty, took copies of Admiral Moorer's letter to the American Legion convention the following day and began handing them out to American Legion members. Within minutes Legion management ejected her from the convention.

Josie's brother, Stephen Toth, had posthumously received a Silver Star, the third highest medal awarded by the US Navy, for "conspicuous gallantry and intrepidity in action" aboard the Liberty.[31] The citation stated, "Lieutenant Toth's aggressiveness, composure under fire, and inspiring leadership were in keeping with the highest traditions of the United States Naval Service."

Toth's father, Captain Joseph C. Toth, had been a career Naval officer and decorated World War II veteran. Captain Toth died of a heart attack a year and a half after his son was killed. Family members felt the anguish at his son's death contributed to his heart attack, along with distress at the government's cover-up of the attack and its recall of rescue flights that might have saved his son's life.[32]

Apparently none of this mattered to American Legion honchos.

After being ejected from the convention, Josie started to hand out copies of Admiral Moorer's letter on the sidewalk outside the convention. Before long, a security officer working for the Legion attempted to have her arrested, calling Charlotte police officers to take her away.

Police officers refused to make the arrest, however, saying that Josie was breaking no laws. After a friendly exchange with Josie, the police officers departed.[33]

The Legion, however, continued to bar Josie from the convention, even though she was a member of the American Legion Auxiliary and had paid the hefty convention registration fee. All for the "crime" of handing out a letter from a World War II hero on behalf of her brother, who had been killed while serving his country, and for trying to help American veterans, the very purpose of the Legion itself.

The Legion commander, Richard J. "Ric" Santos of Maryland, a retired insurance adjuster (his military service consisted of five years in the Naval Reserve),[34] never responded to Admiral Moorer's letter. [35]

2012

In 2012, the American Legion Michigan department passed a Liberty resolution and submitted it to the national convention. The Michigan delegate to the convention, Ted Arens, says that American Legion Judge Advocate General Phil Onderdonk told him, "Your resolution is going nowhere." Onderdonk, according to Arens, called the Liberty survivors "anti-Semites." [36]

Arens reports that Onderdonk said: "The ship never should have been there, it was a spy ship." [37]

few on deck that had escaped damage.

As we know now, if the rescue aircraft from U.S. carriers had not been recalled, they would have arrived at the Liberty before the torpedo attack, reducing the death toll by 25. The torpedo boat commanders could not be certain that Sixth Fleet aircraft were not on the way and this might have led to their breaking off the attack after 40 minutes rather than remaining to send the Liberty and its crew of 294 to the bottom.

Congress to this day has failed to hold formal hearings for the record on the Liberty affair. This is unprecedented and a national disgrace.

I spent hours on the Hill giving testimony after the USS Pueblo, a sister ship to the Liberty, was seized by North Korea. I was asked every imaginable question, including why a carrier in the area failed to dispatch aircraft to aid the Pueblo. In the Liberty case, fighters were put in the air - not once, but twice.

They were ordered to stand down by Secretary of Defense McNamara and President Johnson for reasons the American public deserves to know.

The captain and crew of the Liberty, rather than being widely acclaimed as the heroes they most certainly are, have been silenced, ignored, honored belatedly and away from the cameras, and denied a history that accurately reflects their ordeal.

I was appalled that six of the dead from the Liberty lay under a tombstone at Arlington Cemetery that described them as having "died in the eastern Mediterranean," as if disease rather than Israeli intent had caused their deaths. The Naval Academy failed to record the name of Lt. Stephen Toth in Memorial Hall on the grounds that he had not been killed in battle. I intervened and was able to reverse the apparent idea that dying in a cowardly, one-sided attack by a supposed ally is somehow not the same as being killed by an avowed enemy.

Commander McGonagle's story is the stuff of naval tradition. Badly wounded in the first air attack, lying on the deck and losing blood, he refused any treatment that would take him from his battle station on the bridge. He continued to direct the ship's defense, the control of flooding and fire, and by his own example inspired the survivors to heroic efforts to save the ship. He did not relinquish his post until hours later, after having directed the crippled ship's navigation to a rendezvous with a U.S. destroyer and final arrival in Malta.

I must have gone to the White House 15 times or more to watch the President personally award the Congressional Medal of Honor to Americans of special valor. So it irked the hell out of me when McGonagle's ceremony was relegated to the obscurity of the Washington Navy Yard and the medal was presented by the Secretary of the Navy. This was a back-handed slap. Everyone else received their medal at the White House. President Johnson must have been concerned about the reaction of the Israeli lobby.

I have never believed that the attack on the USS Liberty was a case of mistaken identity. That is ridiculous. I have flown over the Atlantic and Pacific oceans, thousands of hours, searching for ships and identifying all types of ships at sea.

The Liberty was the ugliest, strangest looking ship in the U.S. Navy.

As a communications intelligence ship, it was sprouting every kind of antenna. It looked like a lobster with all those projections moving every which way. Israel knew perfectly well that the ship was American. After all, the Liberty's American flag and markings were in full view in perfect visibility for the Israeli aircraft that overflew the ship eight times over a period of nearly eight hours prior to the attack.

I am confident that Israel knew the Liberty could intercept radio messages from all parties and potential parties to the ongoing war, then in its fourth day, and that Israel was preparing to seize the Golan Heights from Syria despite President Johnson's known opposition to such a move. I think they realized that if we learned in advance of their plan, there would be a tremendous amount of negotiating between Tel Aviv and Washington.

And I believe Moshe Dayan concluded that he could prevent Washington from becoming aware of what Israel was up to by destroying the primary source of acquiring that information - the USS Liberty.

The result was a wanton sneak attack that left 34 American sailors dead and 171 seriously injured. What is so chilling and cold-blooded, of course, is that they could kill as many Americans as they did in confidence that Washington would cooperate in quelling any public outcry. I have to conclude that it was Israel's intent to sink the Liberty and leave as few survivors as possible. Up to the point where the torpedo boats were sent in, you could speculate on that point.

You have to remember that the Liberty was an intelligence ship, not a fighting ship, and its only defensive weapons were a pair of 50-caliber machine guns both aft and on the forecastle. There was little the men could do to fight off the air assault from Israeli jets that pounded the Liberty with bombs, rockets, napalm and machine gun fire for 25 minutes.

With the Liberty riddled with holes, fires burning, and scores of casualties, three Israeli torpedo boats closed in for the kill. The second of three torpedoes ripped through a compartment at amidships, drowning 25 of the men in that section.

Then the torpedo boats closed to within 100 feet of the Liberty to continue the attack with cannons and machine guns, resulting in further casualties.

It is telling, with respect to whether total annihilation was the intent, that the Liberty crew has reported that the torpedo boats' machine guns also were turned on life rafts that were deployed into the Mediterranean as well as those

Onderdonk's claim that an American ship is not allowed in international waters is an extremely surprising statement, particularly from an official of a self-proclaimed patriotic American organization. Onderdonk's view repeats a talking point promoted by Israel that has been rejected by all segments of the U.S. government, including the U.S. Navy.

It appears that Onderdonk chooses to ignore the Court of Inquiry's statement, "USS Liberty wrote another chapter in the great heritage of Navy gallantry... her personnel, from Commanding Officer to the most junior seaman, deserve the highest accolades and acknowledgment it is possible to bestow for their valor and acts of courage." [38]

Arens was not allowed to speak at the committee meeting, and the resolution was never placed before the convention.

The same day, Legion staff turned away two Liberty survivors who had traveled to the convention to staff a booth for the Liberty Veterans Association (LVA). The staff declared that the LVA was not on the list of registered booths.

The two Liberty crewmembers, Ernest "Ernie" Gallo [39] and Glenn Oliphant, asked if there was some mistake. The person registering vendors said she would check.

Oliphant, a soft-spoken Minnesotan and ordained Methodist minister who lost most of his hearing in the attack, tells what happened next: "Within a few minutes [convention official] Andrea Watson... arrived with three security guards." Watson said they didn't have a booth, and a security guard told them they had to leave immediately.

Oliphant says he asked Watson if she had a check for a booth from the Liberty Veterans Association that he believed had

been sent in months earlier. Watson told Oliphant and Gallo that even if she had the check on her desk she would send it back to them.[40]

2013

In 2013 The American Legion refused to allow Liberty survivors to have a booth at its national convention in Houston. Legion officials have refused to give a reason.

The Legion similarly refused to publish a paid advertisement about the USS Liberty that a Legion member tried to place in the 2013 convention program. Again, Legion officials refuse to provide an explanation.

2014

Legion officials tried to convince the VFW also to deny Liberty veterans a booth at their upcoming national convention.

VFW officials investigated the Legion's accusations against Liberty crewmembers, found the Legion's claims unconvincing, and invited the Liberty Veterans Association to again have a booth at the 2014 VFW national convention.

Legion FAQ misrepresents Liberty attack

The American Legion's website contains a "Frequently Asked Questions" column in which a segment on the Liberty [41] repeats the pro-Israel misinformation that supposedly "10 US investigations" found that the attack was an accident.

In reality, an official US Navy communication to Congress stated, "The Court of Inquiry was the only United States Government investigation into the attack," and noted, "That investigation focused primarily on U.S. military communications problems prior to the attack and the heroic effort of LIBERTY's crew in damage control during the aftermath of the attack." [42]

RESOLVED, by The American Legion in National Convention assembled in Cincinnati, Ohio, September 2, 3, 4, 1986; that The American Legion should petition the United States Postal Service to design a postage stamp in memory of the U.S.S. Liberty and its courageous crew, and to have this stamp released on June 8, 1987, the 20th anniversary of the attack on the ship.

[24] Bill Summary & Status, 93rd Congress (1973 - 1974), H.R.959, All Information - <http://thomas.loc.gov/cgi-bin/bdquery/D?d093:1:./-temp/~bd0XSu:@@L&summ2=m&>

The Congressional Biographical Directory reports that Rarick had "served in the United States Army for three years in the Second World War during which time he was captured and later escaped from a German prison camp; awarded the Bronze Star and the Purple Heart." <http://bioguide.congress.gov/scripts/bio-display.pl?index=R000065>

[25] AMERICAN LEGION RESOLUTION NO. : 205

SUBJECT : RECOGNITION OF CREW OF USS LIBERTY

<http://www.ussliberty.org/legion.htm>

The statistic on number of wounded has grown through the years because the dispersal of the crew following the attack prevented the total number from being known. Currently, 174 crewmembers have been confirmed to have been injured during the attack. There may be others who have not yet come forward. In his book on the incident, *Beyond Treason: Reflections on the Cover-up of the June 1967 Israeli attack on the USS Liberty an American Spy Ship*, Robert J. Allen writes that one additional injured crewmember has come forward, which would bring the total 175.

[26] http://www.legion.org/documents/pdf/resolutionbooklet_rev_1.pdf

[27] <http://original.antiwar.com/giraldi/2011/08/03/rick-perry-abuses-his-office-for-israel/>

Giraldi, Philip. "Rick Perry Abuses His Office for Israel" August 4, 2011. Antiwar.com.

[28] The resolving clauses were, according to its author Dr. Ernest Sohns: "Congress should (1) conduct a full investigation and (2) that the public and surviving Liberty members and their families were entitled to an investigation."

[29] <http://archive.legion.org/handle/123456789/215>

[30] Admiral Moorer had long been an outspoken critic of the cover-up on the Liberty. In a 1997 memo he wrote:

[14] After refusing to pay the United States anything for the \$40 million ship it had destroyed (the ship was damaged so badly that it ended up being sold for scrap), Israel finally paid \$6 million. In exchange, the U.S. dropped claims to \$10 million worth of interest.

Author John Borne points out, “It was not entirely coincidental that Senator Adlai Stevenson had announced... that he intended to hold hearings on the matter. The settlement was quickly negotiated and the matter finally closed. - Borne, John E. *The USS Liberty: Dissenting History vs. Official History*. 1995, 1995, p. 119.

[15] <http://www.ussliberty.org/sources.htm> and Borne, p. 170.

[16] <http://www.ameu.org/getattachment/d32d97e3-4440-42b5-99c2-f6fe0bd5b3b7/The-USS-Liberty-Affair.aspx>

[17] Borne, *Dissenting History*. 119. (The ship was damaged so badly that it was declared unsalvageable and sold for scrap a few years later.)

[18] Borne, p. 171.

[19] Borne, p. 171.

[20] Borne, p. 171.

[21] <http://www.usslibertyveterans.org/files/AL%20Resolution%20508%20Rescission.pdf>

[22] Borne, p. 171.

[23] Communication from American Legion Librarian Howard Trace: “The text of resolution 385 from the 1986 National Convention is below. The Convention Committee on Credentials and Internal Affairs recommended that the resolution be referred to the Internal Affairs Commission, which was the action taken by the National Convention. At the October 1986 meeting of the National Executive Committee the Internal Affairs Commission recommended that the resolution be received and recorded, which was the action of the National Executive Committee.

WHEREAS, On June 8, 1967, while on official orders in International waters in the Eastern Mediterranean Sea, the U.S.S. Liberty was attacked by Israeli air and naval forces; and

WHEREAS, 34 U.S. Seamen were killed and 170 were wounded in this attack and only the courage and resourcefulness of remaining crew members prevented further loss of life, and of the ship itself; and

WHEREAS, Men who died in that attack have never been honored by their country in any meaningful way; now, therefore, be it

It seems likely that the Legion’s FAQ is based on largely refuted claims made by a Miami bankruptcy judge, A Jay Cristol. (For more on Cristol and the alleged investigations see sidebar #1, “Questions about Cristol’s Liberty claims.”)

While the Navy’s weeklong inquiry called the attack a case of “mistaken identity,” the Navy attorney tasked with reviewing it before its release, Merlin Staring, found that this conclusion was unsupported by the content of the report. Staring was one of the Navy’s most brilliant attorneys. He eventually went on to become a Rear Admiral and the Chief Judge Advocate General of the US Navy, thus making him the senior legal authority in the Navy.

When Staring indicated that the report’s statement that the attack was an accident was unsubstantiated, his boss removed the report from his review – the only time in Staring’s long career that a report he was given to review was taken away from him. (Incidentally, Staring’s boss was Admiral John McCain, the present John McCain’s father.)[43]

Staring’s questions about the report were explained 30 years later.

The Naval officer who had been senior legal counsel for the Naval inquiry, Captain Ward Boston, came forward with an explosive revelation. President Lyndon Johnson and Secretary of Defense Robert McNamara had ordered them to conclude that the attack was a case of “mistaken identity” despite overwhelming evidence that the Israeli attack “was a deliberate effort to sink an American ship and murder its entire crew,” in Boston’s words. [44]

High Officials Say Attack Was Intentional

There is detailed evidence from Liberty crewmen and other military and intelligence personnel that the Israeli attack was intentional. Numerous extremely high US military, intelligence, and diplomatic officials have espoused this view. Among them are:

- Dean Rusk, Secretary of State under LBJ;
- Richard Helms, Director of the CIA
- Rufus Taylor, Deputy Director of the CIA
- Clark Clifford, special assistant to the President
- Louis W. Tordella, National Security Agency (NSA) Deputy Director
- General Marshall Carter, former director, NSA
- Lucius Battle, former presidential advisor
- Major General John Morrison, US Air Force, Deputy Chief NSA Operations
- Oliver Kirby, former deputy director for operations/production, NSA
- Lieutenant General William E. Odom, former director, NSA
- Admiral Bobby Ray Inman, USN, Director NSA 1977-1981
- Paul C. Warnke, Undersecretary of the Navy and later general legal counsel to the Department of Defense
- Rear Admiral Merlin Staring, Staff Legal Office for Commander in Chief US Naval Forces Europe and later Chief Judge Advocate General of the Navy
- George Ball, under secretary of state
- Dwight Porter, US Ambassador to Lebanon
- Lloyd M. "Pete" Bucher, US Navy, Commanding Officer USS Pueblo
- Captain Ward Boston, senior legal counsel for the Naval Court of Inquiry

US news organizations have a pattern of reporting on the Middle East in a highly Israel-centric manner. For more on this see the media studies and analysis at <http://ifamericansknew.org/media/> and the following articles:

US Media and Israeli Military: All in the Family, CounterPunch, Feb 25, 2010.

<http://ifamericansknew.org/media/bronner2.html>

"Ethan Bronner's Conflict With Impartiality: NYT's Israel Editor's Sticky Situation," by Alison Weir, CounterPunch, February 5 - 7, 2010

<http://ifamericansknew.org/media/bronner.html>

"Jodi Rudoren, Another Member of the Family: Meet the New York Times' New Israel-Palestine News Chief," by Alison Weir, CounterPunch, February 2012 <http://ifamericansknew.org/media/meet-nyt.html>

"Myra Noveck & the New York Times: Another journalist with children in the Israeli military," by Alison Weir, CounterPunch, July 26, 2013.

<http://ifamericansknew.org/media/noveck.html>

[9] These are "Dead in the Water," shown on BBC (http://youtu.be/52U-uXm-hJ_M); "Cover Up: Attack On The USS Liberty," shown on the History Channel (view at: <http://vimeo.com/15441774> purchase at <http://shop.history.com/cover-up-attack-on-the-uss-liberty-dvd/detail.php?p=68276>); and "Loss of Liberty," by Tito Howard (view at

<http://youtu.be/ffQrsdj7BLs> - includes Medal of Honor recipients' testimony).

(The History Channel, after airing the documentary, posted an Israel apologia criticizing the film that was authored by Judith Apter Klinghoffer, who currently lives in Israel.)

[10] "The USS Liberty Affair," by James Ennes, Jr. The Link, May-June 1984, Volume 17, Issue 2.

<http://www.ameu.org/The-Link/Archives/The-USS-Liberty-Affair.aspx>

[11] Email communication from VFW. The VFW's electronic archives go back to 1996 and contain seven resolutions calling for an investigation. It is probable that there were also resolutions in the preceding 20 years, but these years are not yet part of the electronic archive.

[12] Garrett, Paul D., and Kathleen A. Purpura. Frank Maria: A Search for Justice and Peace in the Middle East . Bloomington, IN: AuthorHouse, 2007. 280

[13] Resolution #508

END NOTES

[1] One of the most thorough documents on the incident is “A Report: War Crimes Committed Against U.S. Military Personnel, June 8, 1967: Submitted to the Secretary of the Army in his capacity as Executive Agent for the Secretary of Defense, June 8, 2005”

<http://www.usliberty.org/report/report.htm> Also see the recommended books and reports noted below, as well as statements at <http://www.uslibertyveterans.org/files/docs.pdf>.

[2] James Lee Lenau, January 9, 1947 - June 8, 1967: http://ifamericansknew.org/us_ints/james-lee-lenau.html

[i] See, for example, What I Saw That Day, Phillip F. Tourney, pp. 35-104.

[3] Author interview with Lieutenant Commander (retired) David Lewis, who had been chief intelligence officer on the USS Liberty. Also reported in USS Liberty time line: http://www.ifamericansknew.org/us_ints/ul-ameu.html and <http://www.public-action.com/911/USSLiberty-lewis.txt> A recorded statement by Lewis can be listened to at <http://home.roadrunner.com/~gidusko/liberty/c-drlewis.mp3>

[4] David Skolak - http://ifamericansknew.org/us_ints/david-skolak.html

[5] <http://www.usliberty.org/roster.htm> and <http://projects.military-times.com/citations-medals-awards/recipient.php?recipientid=19490>

[6] Ennes, Assault, pp. 176-77.

[7] There has been a scattering of strong journalistic reports throughout the past 45+ years. The first was an AP report by Colin Frost.

<http://news.google.com/newspapers?nid=2209&-dat=19670617&id=o60rAAAIBAJ&sjid=if0FAAAAIBAJ&pg=5854,5768980>

One of the most thorough was: “Congressional inquiries got nowhere,” by John Crewdson, Tribune senior correspondent Chicago Tribune, October 2, 2007

http://ifamericansknew.org/us_ints/ul-crewdson2.html

The Washington Report on Middle East Affairs has covered the subject well, as has the Link, CounterPunch.org, and journalists David Walsh and Bryant Jordan at military publications.

[8] See, for example, “American Media Miss the Boat: For USA Today, Freedom of the Press Means the Right to Report It Wrong,” CounterPunch, June 23/24, 2007

<http://ifamericansknew.org/media/misslib.html>

- Rear Admiral Clarence “Mark” Hill, co-founder of the Naval Aviation Foundation
- Admiral David McDonald, Chief of Naval Operations[45]
- Vice Admiral Jerome King, Jr., Deputy Chief of Naval Operations[46]

In 2003 the Moorer Commission, an independent commission headed by Admiral Moorer, reported on Capitol Hill: “There is compelling evidence that Israel’s attack was a deliberate attempt to destroy an American ship and kill her entire crew.”

The Moorer report went on to state, “In attacking the USS Liberty, Israel committed acts of murder against U.S. servicemen and an act of war against the United States.”[47]

Israel Attacks Liberty Crew, Again

Israel and its American partisans, however, have worked assiduously to promote Israel’s various versions that the attack was accidental. One of their targets was survivor James Ennes’s 1979 book, Assault on the Liberty.

Author John Borne, who wrote a book on the Liberty attack and its aftermath, describes Israel’s efforts against Ennes’s book: “Journalist friends told Ennes that the Israeli Government was working hard behind the scenes to discredit his story.”



Commander Ennes had sustained a major leg wound in the attack that required months-long hospitalization. Pulitzer Prize winning journalist Seymour Hersh wrote of Ennes' gripping book "I've never read a more graphic depiction of war at sea...an insider's book by an honest participant."

The Israeli Foreign Office created a four-page criticism of the book, Borne reports, and the American Israel Public Affairs Committee (AIPAC), which has an annual budget of over \$70 million,[48] published a six-page attack based on the Israeli document. Other pro-Israel organizations similarly circulated attacks on Ennes's eyewitness book.[49]



Borne writes that media coverage of Ennes's book, which had been enthusiastic, quickly dried up under this onslaught: "Interviews were arranged, then dropped, at ABC's 'Good Morning America' and ABC's 'Nightline.' Work went ahead at '60 Minutes' and was then canceled."

Although some Israel partisans in the U.S. agree that the crew deserve an honest investigation of the incident, virtually all the institutional members of the powerful pro-Israel lobby in the

Supreme Allied Commander Europe. Previously, Stavridis commanded US Southern Command in Miami.[98] (Some wonder whether these ties to Cristol's turf are significant.)

Stavridis has spoken of his fondness for Israel. He visited the country early in his highly successful career, and in 2011 he received an award from the Jewish Institute for National Security Affairs (JINSA), an advocacy group that promotes "strengthening Israel." [99]

At the awards ceremony, Admiral Stavridis made a speech in which he gushed about "such a magical evening," sang the praises of Israel in paragraph after poetic paragraph, and stated: "One of the great benefits of my job, as the commander of the U.S. European Command, is that I am charged with military-to-military relations between the United States and Israel. I'm fortunate to travel there often... I learn more about Israel with every visit..." [100]

There is no indication that Admiral Stavridis has ever visited the Arlington ceremony for the 34 USS Liberty crewmembers that Israeli forces killed on June 8, 1967, or listened to the mothers, sisters, sons and shipmates of the victims.

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Navy's top aviator, was another who adamantly opposed the change. He cautioned, "If those with the agenda of changing the mission carry the day in this instance, the Naval Institute as it has been known since 1873 will degenerate and eventually pass into history..."[96]

In his commentary he mentioned that in the upcoming Naval Institute election he was voting for only one of the proposed board members.

When it appeared that ninety percent of the Institute's membership opposed the change and the board was clearly losing the vote, the board tabled the resolution on March 17, 2011.

Waters stepped down the next year but according to a Naval Institute staff member is still closely involved with the Institute. Vice Chair Nancy Brown, a retired Navy vice admiral, served as acting chair until the current chair took office, at which point she returned to her position as vice chair.

During this period, a significant change was made in the Institute's book publishing arm. Rick Russell, who had been the associate publisher at Brassey's and was the person who had chosen to publish Cristol's book, was hired in 2007 to be the director of the Naval Institute Press. [97]

When Proceedings had published its 2005 review criticizing Cristol's book, Russell had written in on behalf of Brassey's defending Cristol's narrative. Two years later he was hired to head up the Naval Institute Press.

The current chair of the Naval Institute is Admiral James G. Stavridis. Stavridis was born in West Palm Beach, Florida, and before he retired and became head of the Naval Institute, he served as Commander, U.S. European Command and NATO's

U.S.[50] that have weighed in on the incident support Israeli versions over the testimony of the American crewmen and other American officials.

One of the most prominent American adherents of the Israeli version is a Miami bankruptcy judge and former Naval Reserve officer named A Jay Cristol. Cristol is the author of a 2001 book called *The Liberty Incident*, which was re-released in 2013 with a few additional chapters under the title, *The Liberty Incident Revealed*.

The two editions read largely like legal briefs for Israel[51] and are strongly criticized by eyewitnesses and other experts on the attack for what they say are its omissions, misinformation and unsupported claims.

American Legion Officials Refuse to Answer Questions

For this article, I phoned and emailed the American Legion repeatedly with specific questions. The Legion answered only a few of these.

The Legion Librarian assisted me in finding the wording of some of the resolutions that had been passed. He confirmed that there are no live resolutions on the Liberty.

I asked one of the American Legion's professional staff members about the inaccurate claims about the Liberty on the Legion website's FAQ. It turned out the staff member was very familiar with the Liberty. He said he had previously researched it and agreed that there had not been an investigation. He said he would inform the Legion library that the FAQ needed to be corrected.

This correction was never implemented, however. When I followed up with the staff member, he referred me to Philip

Onderdonk (the Legion official also mentioned above). Onderdonk, the staff member told me, was now in charge of handling my questions. Onderdonk has been the American Legion's top lawyer for the past thirty years. (His military service consisted of serving as a contracting officer for a few years. [52])

I eventually reached Onderdonk, who brusquely told me I would receive an official statement from the PR department and hung up. When I called him back to ask when I would receive this, he said, "You'll get it when you get it." (I eventually did, but it answered none of my questions.) He then sputtered that I was part of an "anti-Israel" organization and hung up again.

I'm president of the Council for the National Interest, whose goal, announced on our website, is to work for "U.S. Middle East policies that represent the highest values of our founders and our citizens and that work to sustain a nation of honor, decency, security, and prosperity."

Our mission states: "CNI seeks to encourage and promote a U.S. foreign policy in the Middle East that is consistent with American values, protects our national interests, and contributes to a just solution of the Arab-Israeli conflict. It is CNI's goal to restore a political environment in America in which voters and their elected officials are free from the undue influence and pressure of foreign countries and their partisans." [53]

CNI was founded two decades ago by Paul Findley, an 11-term Republican Congressman from central Illinois, and Paul "Pete" McCloskey, an 8-term Republican Congressman from California. Findley served in the Navy in the South Pacific in WWII, and McCloskey served in Korea, where he received the Navy Cross, Silver Star and two Purple Hearts as a Marine rifle platoon leader.

'An Independent Forum advocating the necessity of global sea power for national security and economic prosperity.'

There was uproar from the membership.[92]

Ricks reports: "How's this grand scheme playing out? In the naval blogosphere the comments are universally against; I've yet to see anyone in favor. And the community is getting fired up to fire the Board, at least those pushing this harmful initiative." According to Ricks, six board members were behind the proposal.

Among the multitude who publicly opposed the board's move was the Proceedings editorial board[93]. In a statement published in the magazine, they wrote that the change was being pushed with an "uncharacteristic lack of open debate" and said they did not understand "why the membership has not been able to hear, debate, and decide collectively what the outcome should be for such a historic determination."

The proposed modification, they warned, had the "potential to change the character of the institution." The editors were emphatic: "The independence of the Institute is paramount; without that openness, the Institute risks simply becoming an organ of whatever entity, whatever program, is deemed permissible by only a few, whomever those may be."

An article in Marine Times[94] reported that critics felt that foisting advocacy onto the Institute "would imperil the editorial independence of their publications, including books, Naval History magazine and the journal Proceedings, which has often served as an avenue for active-duty writers to offer criticism of official policy."

Vice Admiral Bob Dunn,[95] who had left active duty as the

In recent years there have been a number of leadership changes in *Proceedings* magazine, the Naval Institute Press, and the Naval Institute itself. These seem to have resulted in a number of controversies, and some critics have suggested that new board members were promoting an agenda disliked by many of its members.

There were disputes regarding the board's attempt to modify the Institute's mission statement without input from its members, claims by its chair (disputed by some members) of financial instability, rumors of secret plans to sell off the Naval Institute Press,[85] and charges of a "businessman takeover" of the Naval Institute. [86] [87]

The vice chair and then chair during this period was Stephen M. Waters,[88] an investment banker who worked for many years at Lehman brothers, Morgan Stanley, etc. and eventually founded his own companies (some of which have connections to Israel).[89] He had served in the Navy for two years after college. [90]

The controversy over the plan to change the Institute's 138-year-old-mission was particularly heated. Military columnist Thomas Ricks discussed it in a *Foreign Policy* article entitled "The crazy plan to change the longtime mission of the U.S. Naval Institute in *Foreign Policy*" [91]:

Ricks wrote: "New players on the Institute's Board of Directors -- retired Navy flag officers and Board civilians who they've taken in -- are proposing to drop the Institute's stated mission and timeless role as the 'Independent forum for those who dare to read, think, speak, and write in order to advance the professional, literary, and scientific understanding of sea power and other issues critical to national defense'"

"in favor of a new statement saying that the Institute exists to be

In 2010, CNI applied for a booth at the Legion national convention. Legion convention director Dick Holmes refused our application. He claimed that CNI's policies were at odds with the American Legion's.

While CNI's principles, stated above, may differ substantially from those of Mr. Holmes, attorney Onderdonk, and some other Legion officials, I have found that they match those of what seems to be a large preponderance of Legion members. These members similarly want policies based on American interests and principles, rather than predicated on the desires of a foreign government.

After the Legion denied CNI a booth in 2012, I volunteered to help as a private citizen at the Liberty Veterans booth that year and was duly credentialed at the convention. After I had assisted at the booth for several hours, suddenly Holmes, Andrea Watson, and a few henchmen arrived at the booth. They said that I was not allowed to be at the booth, despite my credentials, and told me that if I didn't leave the convention immediately I would be arrested. I left.

During my time at the booth, I had witnessed enormous support for Liberty veterans among American Legion members. Virtually every person who passed the booth turned out to be receptive and supportive. Some had known about the attack before and had been outraged ever since. Others had been unaware of it previously and were astounded at the cover-up. Many left the booth wearing USS Liberty buttons and promised to tell others about the incident.

After I was forced to leave the booth, a Liberty veteran and his wife continued without me, handing out hundreds of brochures and buttons to Legion members. Both were thrilled at the deep support and sympathy of Legion members from all over the U.S.

In 1997 Admiral Moorer described the Liberty reunions he had attended:

“They arrive in town with their whole entourage - grandmas, grandpas, grandchildren. They promote the memory of the boys who were killed and I respect them for that. They are mostly from small country towns, probably a lot like Eufaula, Alabama, where I grew up, and they represent the basic core of America that has enabled us to be a superpower for so long. These are the kind of people who will make certain that our liberty and freedom survive if fighting is what it takes.”

These are the families that the American Legion management continually opposes.

Venerable Florida columnist Charlie Reese once wrote about Liberty veterans, “These survivors deserve the support of the American people. Will you stand by them?”

Philip Onderdonk, Dick Holmes, and other Legion honchos have given their answer. Like Israel and many of its partisans, top Legion officials seem to feel that Israel can kill and injure American servicemen with impunity, insult them and their families, quash all questions, and successfully sweep Israel’s lethal attack under the rug.

I doubt most American Legion members will agree with them.

making it appear that Arab armies had attacked Israel (a fiction that Israel told the U.S. at the time, but now admits was false).[81]

Cristol also leaves out Bamford’s details on how Israeli forces slaughtered hundreds of Egyptian prisoners of war, who were made to dig their own graves and were then machine-gunned – information that also was reported by Israeli media, the New York Times, the Washington Post, and others. [82]

Overall, Cristol’s book reads very much like a legal brief for Israel.[83] Not only does Cristol value the word of Israel, the attacker, over the word of the USS Liberty crew and numerous American military officers and officials, he consistently puts pro-Israel spin on confirmed facts. For example, Cristol quarrels with a U.S. Navy statement referring to the Liberty as a “noncombatant,” insisting that the Liberty – whose total armament consisted of two pairs of small machine guns for repelling boarders and whose off duty crewmembers were permitted to sunbathe openly on deck – was a “warship.”

Controversies at the Naval Institute

The U.S. Naval Institute was founded in 1873 and is located on the grounds of the U.S. Naval Academy at Annapolis. Despite its official-sounding name and Academy location, the Naval Institute is actually a private organization and has no official ties to the Academy or the U.S. Navy. It is run by a board of directors.[84]

It’s difficult to know the course of events that caused the Institute’s reversal of its previous position on the Liberty.

One factor may have been changes in personnel.

been a high level military analyst, wrote that the attack “was quite deliberate and well planned.”[78]

Yet, in 2012, the Institute reversed itself, announcing plans to print the second version of Cristol’s book.

The Institute’s current advertising campaign for the book proclaims that Cristol “interviewed all the major participants.” While it is quite likely true that Cristol interviewed Israeli officials, his alleged interviews with Liberty crewmembers consisted of attending a Liberty Reunion several years ago and having a few brief exchanges at the bar without identifying himself. He later listed those bar conversations as “interviews.” Few, if any, were aware that they were being “interviewed.”

One crewmember who was listed in Cristol’s acknowledgements for his first edition, Joe Lentini, has actually written an article that criticizes Cristol’s book as “based on half truths and highly questionable Israeli reports” and says that Cristol “reaches the wrong conclusions.” Lentini reports, on the other hand, that Ennes’s book is accurate.[79]

Some of the claimed endorsements of the book are also suspect.

For example, Cristol’s website features a sentence of praise from Rear Admiral Paul Tobin’s review, but leaves out Tobin’s main point: “I and almost all of the U.S. eyewitnesses do not agree with the author's conclusion that it was an unfortunate accident.”[80]

Cristol claims to provide context on the Six-Day war but leaves out much information. For example, while he discusses highly regarded investigative journalist James Bamford and his books, he both misreports what Bamford had said about the Liberty, and he omits Bamford’s documentation that the war was planned well in advance in order to take as much land as possible while

Sidebar 1:

QUESTIONS ABOUT CRISTOL’S LIBERTY CLAIMS

A plethora of articles, books, and witness statements support the conclusion that Israel intentionally attacked the USS Liberty. There appears to be only one book focused on the attack that takes a counter view: *The Liberty Incident Revealed*, by A Jay Cristol. [54]

Cristol is a bankruptcy judge and former Naval Reserve officer in Miami. [55] He visited Israel 15 times in the course of writing his book and suggests that those who rebut his conclusions on the Liberty are anti-Semitic, have hidden agendas, or are conspiracy theorists.[56]

In his book, Cristol essentially recounts the official Israeli version of the attack, which is at odds with that described by American eyewitnesses and numerous high US military, intelligence, and State Department officials.

Liberty specialists and survivors criticize Cristol’s book for omitting eyewitness testimony, key facts, and statements from US government investigators contradicting his conclusion. They also say the book misrepresents the facts and makes unsupported claims. As we shall see, these accusations are valid.

Historian John Borne, author of a PhD dissertation on the attack and a subsequent book, writes that Cristol “describes only the Israeli view, and the reader has no way to know that he is hearing only one side of a debate.” In a review of Cristol’s book, Borne details instances in which Cristol omitted critical information, rearranged the data to give a false conclusion, and neglected to interview important eyewitnesses. [57]

Similarly, Captain Ward Boston, senior legal counsel for the Naval Court of Inquiry that looked into the attack, stated that

Cristol's book "twists the facts and misrepresents the views of those of us who investigated the attack." In fact, Boston said that it was "Cristol's insidious attempt to whitewash the facts" that motivated him to finally speak out in 2002 about the behind-the-scenes intrigue in the Court of Inquiry. [58]

In the first edition of his book, published in 2001, Cristol listed Boston in the index and in the text wrote: "Boston brought two special assets in addition to his skill as a Navy lawyer. He had been a naval aviator in World War II and therefore had insight beyond that of one qualified only in the law. Also, Kidd knew him as a man of integrity." [59]

After Boston revealed the presidential cover-up and the fact that all the evidence indicated that it had been an intentional attack, Cristol wrote an article calling Boston a liar. [60] In his current, 2013 version of the book, which claims to be "the definitive account," Cristol fails to provide Boston's detailed statements about the Court of Inquiry. [61]

Even in his chapter on a 2004 State Department conference in which he discusses his appearance on one of the panels, he does not tell readers that a fellow panelist, James Bamford, read into the official record Boston's dramatic legal declaration that the Naval Inquiry had been a sham, that Johnson had ordered the facts to be covered up, and that all the evidence had indicated that the Israeli attack was intentional.

Cristol's questionable claims about Admiral Kidd

Cristol does mention Admiral Isaac Kidd, who was president of the Naval Court of Inquiry that produced the Navy's report. Cristol claims a "close friendship" with Kidd, who is now deceased, and includes some complimentary statements about Cristol from a letter that he says Kidd sent him. (He does not include the complete letter.)

Sidebar 2:

THE NAVAL INSTITUTE'S CHANGING POSITION ON THE LIBERTY

The new edition of A Jay Cristol's book about the USS Liberty was published last September by the Naval Institute. This is a major about-face for the Naval Institute, which previously published articles rejecting Cristol's conclusions and criticizing his first edition.

Decades earlier, the Institute praised James Ennes's book detailing evidence that Israel's attack was intentional. The Institute listed Ennes's book among its "Notable Naval Books for 1980" and a review in the Institute's Proceedings Magazine praised it as "awesome." [75]

In 2002, the Institute's Proceedings magazine published a review of Cristol's first edition by Rear Admiral Paul Tobin. Tobin disagreed with Cristol's conclusion that Israel's attack on the Liberty was accidental. [76]

In 2003, Proceedings printed an in-depth, 5,000-word article detailing numerous fatal flaws with Cristol's book. The article also contained evidence that top NSA officials disagreed with Cristol's conclusions. [77]

Specifically, this article reported that the NSA officials interviewed "were unaware of any agency official at that time or later who dissented from the 'deliberate' conclusion." It quoted the NSA director from 1977-1981 as saying that he "flatly rejected the Cristol/Israeli thesis" and that this belief was based on his talks with senior NSA officials who had direct knowledge of the attack.

In 2005, Proceedings published yet another article blasting Cristol's book, calling it "bad history." The author, who had

with and were contrary to any evidence the Court of Inquiry had adduced.”[70]

The publisher of Cristol’s first version of the book in 2001 was Brassey’s, Inc. Brassey’s was known for its works on military history and had been the U.S. subsidiary of Brassey’s Ltd, but in 1999 it had come under the ownership of Books International, a warehouse and distribution company based in Dulles, Va.[71]

Cristol has a number of connections to Israel.

In the preface to the first edition of his book, Cristol describes his longtime friendships with a number of high level Israeli officials and senior military officers. For example, he describes becoming a close friend of the Israeli Naval attaché as early as 1976. These Israeli friends, he boasts, “opened doors” for him.

Cristol writes in the preface that he began his research on the incident with a trip to Israel, rather than with American experts and crewmembers – at least one of whom lives in Florida.

Also in the preface to his first edition, Cristol reveals that the person who first suggested he write a book on the Liberty was Dr. Haim Shaked, a professor at the University of Miami.[72] Interestingly, Cristol fails to inform readers that Shaked is an Israeli citizen.[73]

The new edition of the book published by the Naval Institute contains none of this information, because, oddly, it omits this preface entirely. While second editions of books occasionally contain an additional preface for the new edition, standard practice is to also include the first one.

At the very bottom of Cristol’s website for his book is, in small print, “Disclaimer.” This links to an unusual, perhaps unique statement, for the website of a nonfiction book:[74]

Boston, who said he remained in contact with Kidd after the two worked together on the Naval inquiry, questioned these statements. He described Kidd’s reaction after Cristol contacted him for his book. “The Admiral spoke of Cristol in disparaging terms and even opined that ‘Cristol must be an Israeli agent,’” Boston wrote in his legal declaration. “I don’t know if he meant that literally or it was his way of expressing his disgust for Cristol’s highly partisan, pro-Israeli approach to questions involving USS Liberty.”[62]

Boston went on to state: “I find Cristol’s claims of a ‘close friendship’ with Admiral Kidd to be utterly incredible. I also find it impossible to believe the statements he attributes to Admiral Kidd, concerning the attack on USS Liberty.” Rather, according to Boston, Kidd privately shared the conclusions of others who worked on the Navy report. “Every time we discussed the attack, Admiral Kidd was adamant that it was a deliberate, planned attack on an American ship,” wrote Boston.

“Contrary to the misinformation presented by Cristol and others, it is important for the American people to know that it is clear that Israel is responsible for deliberately attacking an American ship and murdering American sailors, whose bereaved shipmates have lived with this egregious conclusion for many years,” Boston declared.

Finally, Boston reveals that Cristol attempted to misrepresent a brief telephone interview he conducted with Boston before his first book. “Several years later, I received a letter from Cristol that contained what he purported to be his notes of our prior conversation,” declared Boston. “These ‘notes’ were grossly incorrect and bore no resemblance in reality to that discussion. I find it hard to believe that these ‘notes’ were the product of a mistake, rather than an attempt to deceive. I informed Cristol that I disagreed with his recollection of our conversation and that he was wrong.”

In a magazine interview, Boston said, "There is no question in my mind that those goddamned bastards tried to kill everyone on board. I was the counsel. I put witnesses on. I talked to kids never exposed to combat who'd seen their friend's head blown off. Kids who were crying as they told me what they'd gone through. Those boys who had their heads blown away were not out fighting [the Israelis]. They were sunbathing. They weren't even given a chance to get to their machine guns." [63]

I personally interviewed Captain Boston in his Coronado home in 2003, where he described the facts he had found and the subsequent cover-up in outraged detail.

Deconstructing Cristol's "investigations"

Cristol repeats in his book the Israeli talking point that multiple investigations have found Israel innocent of intentionally attacking the Liberty, but closer examination fails to support his claim. Cristol claims there were several Congressional investigations, yet the Reference Librarian at the Library of Congress found "no evidence that the Congress ever held hearings or launched an investigation into the June 8, 1967 incident with the USS Liberty." [64]

An official Navy response to a Congressional inquiry went even further, saying, "The Court of Inquiry was the only United States Government investigation into the attack." Moreover, the letter said, "That investigation focused primarily on U.S. military communications problems prior to the attack and the heroic effort of LIBERTY's crew in damage control during the aftermath of the attack." [65]

In reality, none of Cristol's alleged "investigations" turn out to be real investigations, most of the examinations came to no conclusion or actually suggested that the attack was inten-

tional, [66] an NSA report that Cristol claims absolved Israel of guilt actually considers this an "unanswered question" and tilts toward skepticism of the Israeli claims, [67] and the week-long Naval Inquiry has since been discredited. (Cristol's claim is thoroughly laid to rest in a 2005 article in the Washington Report on Middle East Affairs. [68])

Of all Cristol's claimed investigations, the inquiry is the closest thing to a real investigation, yet Cristol fails to include the fact that the report states, "It was not the responsibility of the court to rule on the culpability of the attackers."



Cristol also omits the statements from Boston and Rear Admiral Merlin Staring that the inquiry did not find evidence that the attack was accidental. [See main article for details.]

Cristol does mention Staring (though he misspells his first name [69]), but he leaves out Staring's statement that "the conclusions recorded by the Court were ordered by the President of the United States and his Secretary of Defense and were inconsistent